UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Omni Continuum LLC, *Plaintiff,* **v.** **NKT Photonics Inc. and** **NKT Photonics A/S,** *Defendants*.	Case No. 24-11007

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Omni Continuum LLC brings this Complaint against NKT Photonics Inc. and NKT Photonics A/S for patent infringement:

I. The Parties

1. Plaintiff Omni Continuum LLC ("Omni") is a Michigan limited liability company with a principal place of business at 1718 Newport Creek Drive, Ann Arbor, Michigan.

2. Omni's Managing Member is Dr. Mohammed N. Islam. Dr. Islam graduated in 1985 with a Doctor of Science degree from the Massachusetts Institute of Technology, Cambridge, Massachusetts. From 1985-1992, Dr. Islam was a member of the Technical Staff in the Advanced Photonics Department at

AT&T Bell Laboratories, Holmdel, New Jersey. In 1992 he was awarded the OSA Adolf Lomb Medal for pioneering contributions to nonlinear optical phenomena and all-optical switching in optical fibers. He became a Fellow of the Optical Society of America in 1998. He is currently a Full Tenured professor of Optics and Photonics in the Electrical and Computer Engineering department of the College of Engineering at the University of Michigan, Ann Arbor. Dr. Islam was the first recipient of the prestigious 2007 Distinguished University Innovator Award and is the inventor of the supercontinuum laser patent at issue in this lawsuit. He has extensive knowledge of the design and operation of supercontinuum lasers, and he has been actively researching and developing supercontinuum lasers since 1986.

3. On information and belief, defendant NKT Photonics Inc. is a Delaware corporation with a principal place of business at 23 Drydock Avenue, Boston, Massachusetts.

4. On information and belief, defendant NKT Photonics A/S is a foreign corporation headquartered at 3460 Birkerød, Denmark. On information and belief, NKT Photonics Inc. is a wholly owned subsidiary of NKT Photonics A/S. NKT Photonics Inc. and NKT Photonics A/S are referred to collectively in this Complaint as “NKTP.”

II. Jurisdiction and Venue

5. This action arises under Title 35 of the United States Code.

6. The court has subject matter jurisdiction under 28 U.S.C. § 1338(a).

7. The court has personal jurisdiction over NKT Photonics Inc. because NKT Photonics Inc. is registered to do business in this state and has a principal place of business here.

8. The court has personal jurisdiction over NKT Photonics A/S because NKT Photonics A/S has regular and ongoing contacts and business dealings with NKT Photonics Inc. in the State of Massachusetts to meet the minimum contacts requirements.

9. Venue is proper because NKT Photonics Inc. has a regular and established place of business in this judicial district and because NKT Photonics A/S is a foreign corporation.

III. Prior Litigation Between Omni and NKT Photonics Inc.

10. On February 17, 2023, Omni sued NKT Photonics Inc. in the United States District Court for the District of Massachusetts, Case No. 1:23-cv-10359, alleging infringement of U.S. Patent Nos. 7,519,253 B2 (“the ’253 patent”) and 8,971,681 B2 (“the ’681 patent”).

11. NKT Photonics Inc. moved to dismiss the complaint. At a hearing on the motion, NKT Photonics Inc., through its counsel, represented to the Court and Omni that it was not possible for the accused NKT Photonics Inc. laser to meet the "laser diodes capable of generating … pulse width of at least 100 picoseconds" limitation of the '253 patent.

12. In reliance on NKT Photonics Inc.'s representation to the Court and Omni that the accused NKT Photonics Inc. laser products could not meet the "pulse width of at least 100 picoseconds" limitation of the '253 patent claims, Omni filed an amended complaint alleging infringement of the '681 patent alone.

13. The parties then attempted to resolve the lawsuit. Omni offered to license its entire patent portfolio to NKT Photonics Inc., but NKT Photonics Inc. declined that offer. Instead, NKT Photonics Inc. chose a resolution limited to the '681 patent and the allegations of the amended complaint. The parties filed a stipulation of dismissal, which the Court entered on March 7, 2024 ending the dispute between Omni and NKT Photonics Inc. over infringement of the '681 patent but leaving open the possibility of future litigation involving other patents owned by Omni.

14. Omni only recently discovered that certain NKTP multi-stage supercontinuum lasers have an external input that can be used to control the pulse width of the laser diodes, making them capable of generating a pulse

width of at least 100 picoseconds as required by the ’253 patent. As a result, Omni now believes NKT Photonics Inc.’s counsel was incorrect when he asserted that the design of those NKTP lasers made them incapable of infringing the ’253 patent. Omni also determined that NKTP’s multi-stage supercontinuum lasers infringe another of Omni’s patents, U.S. Patent No. 7,433,116 B2.

IV. Count 1: Infringement of U.S. Patent No. 7,433,116 B2

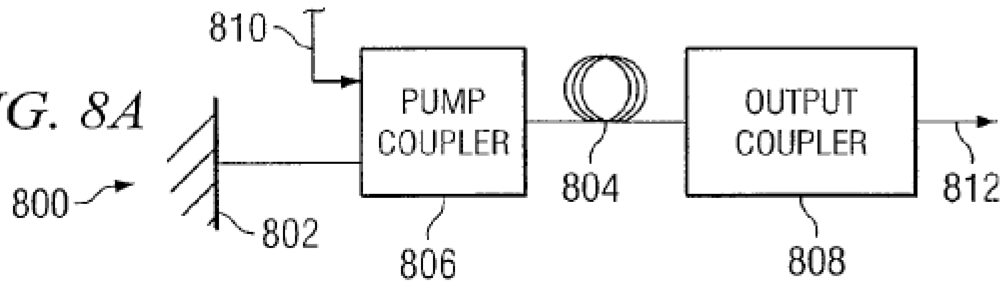
15. Omni incorporates the preceding paragraphs by reference.

16. The United States Patent and Trademark Office issued U.S. Patent No. 7,433,116 B2 (“the ’116 patent”) on October 7, 2008. The ’116 patent is titled, “Infra-red Light Source Including a Raman Shifter.” A copy of the patent is attached as **Exhibit A**.

17. Omni, via assignment, is the owner of the ’116 patent including the right to collect past damages.

18. The ’116 patent specification describes and claims a unique, creative, innovative, and technically advanced supercontinuum laser for generating broadband light. Figure 8A from Exhibit A is an exemplary diagram of the patented supercontinuum laser:

FIG. 8A

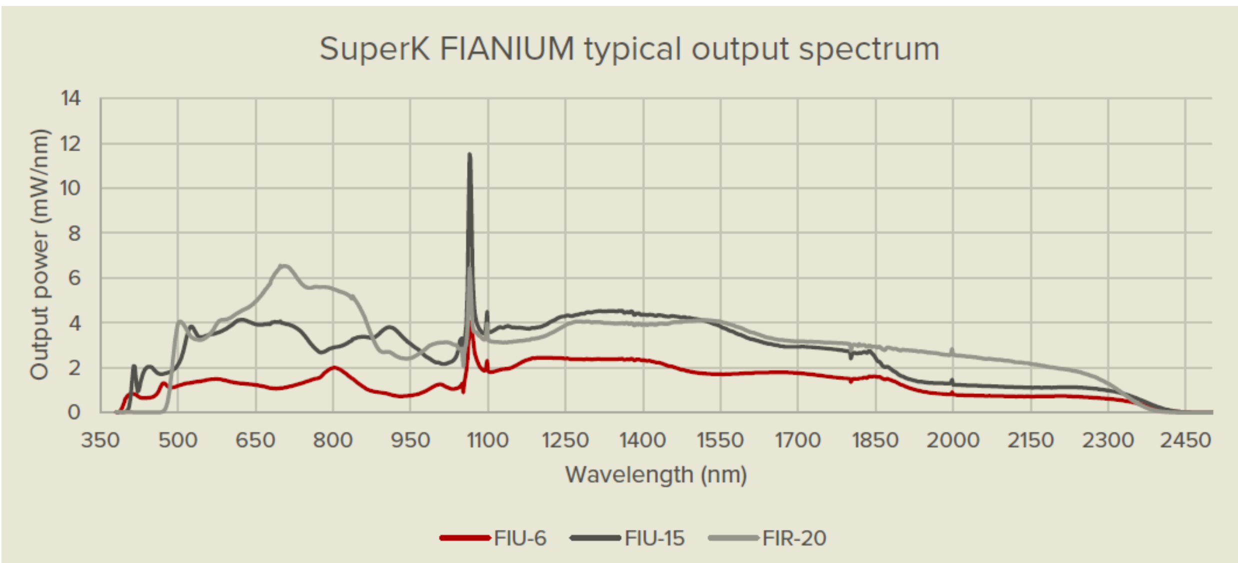


19. In violation of 35 U.S.C. § 271(a), NKTP in the past six years and currently makes, sells, offers for sale, uses, and/or imports multi-stage supercontinuum lasers that infringe one or more claims of the ’116 patent (the “Accused Lasers”) such as the NKT SuperK FIANIUM series lasers and the NKT SuperK EXTREME series lasers.

20. The following subparagraphs quote the elements of Claim 1 of the ’116 patent. They further detail how the Accused Lasers infringe at least Claim 1 of the ’116 patent. Omni bases these subparagraphs on Dr. Islam’s extensive knowledge and understanding of supercontinuum lasers, his investigation and study of materials describing the Accused Lasers published by NKTP, and information from persons knowledgeable about the design and operation specifically of the Accused Products. On information and belief, the fiber lights sources in the SuperK FIANIUM series and the SuperK EXTREME series are, in pertinent part, the same for purposes of establishing infringement, so the allegations below apply to all Accused Lasers. Under Fed. R. Civ. P. 11((b)(3), the allegations in this and the following

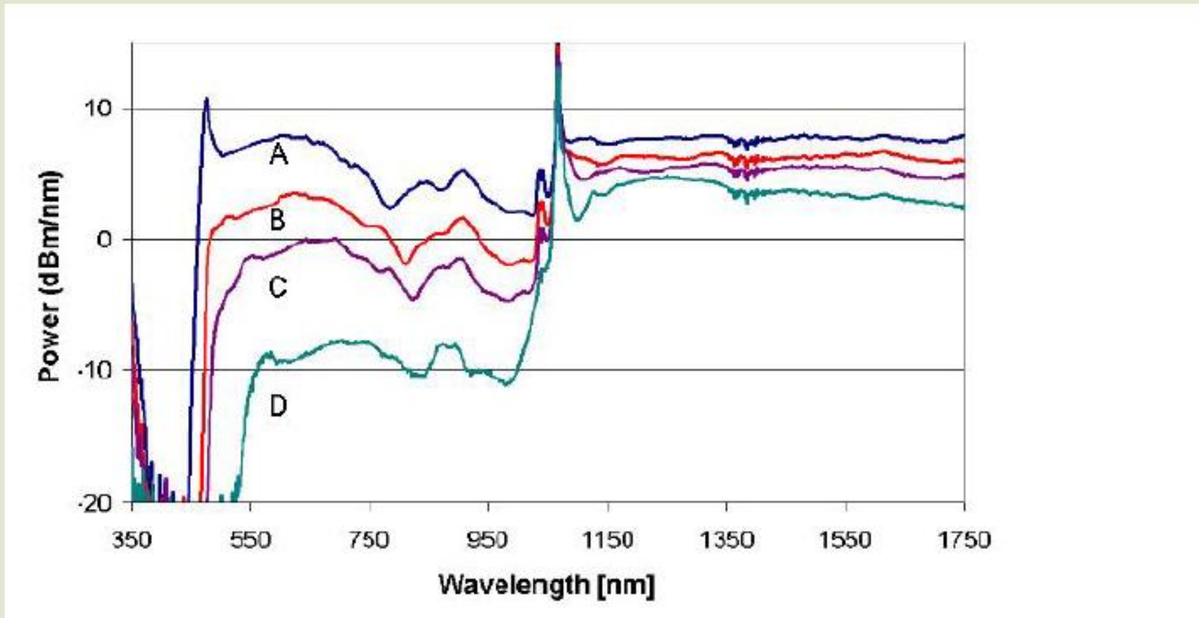
subparagraphs will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

a. Claim 1: "An infrared light source, comprising …." Infrared light is generally understood to include wavelengths from around 750 nanometers (nm) to around 10,000 nm or more. The Accused Lasers generate infrared light in this range as shown in the charts[1] below:



[1] The "SuperK FIANIUM typical output spectrum" chart is from page 5 of NKTP's "SuperK FIANIUM Datasheet." The "*Figure 2* Supercontinuum output of the laser" chart is from p. 23 of NKTP's "SuperK EXTREME Product Guide." Both are available at https://www.nktphotonics.com/product-manuals-and-documentation/.

Figure 2 Supercontinuum output of the laser



b. "one or more combiners coupled to at least a first pump laser operable to generate a first pump signal and a second pump laser operable to generate a second pump signal the one or more combiners operable to combine the first pump signal and the second pump signal into a first optical signal …." The Accused Lasers have a first pump laser that generates a first pump signal (labeled "~1060nm" in the illustrative diagram of exemplary Fig. A, below). The Accused Lasers also have a second pump laser that generates a second pump signal (labeled "~976nm" in the illustrative diagram of exemplary Fig. A, below). The two pump lasers are coupled to a combiner (labeled "Combiner" in the illustrative diagram of

exemplary Fig. A, below) that combines the two pump signals. The combined pump signals are a first optical signal.

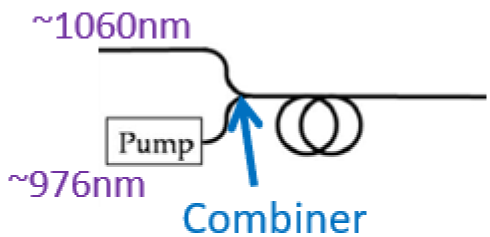


Fig. A

c. "the first pump signal comprising at least a first wavelength and the second pump signal comprising at least a second wavelength wherein the first wavelength of the first pump signal is substantially different than the second wavelength of the second pump signal …." As shown in the illustrative diagram of exemplary Fig. A, above, the wavelength of the first pump signal in the Accused Lasers is about 976 nm, which is a substantially different from the wavelength of the second pump signal (about 1060 nm).

d. "a wavelength shifter coupled to the one or more combiners …." The Accused lasers have a wavelength shifter (labeled 24 in exemplary Fig. 2,[2] below). The wavelength shifter is coupled to the

[2] Exemplary Fig. 2 comes from U.S. Pat. No. 9,531,153 B2, originally assigned to Fianium Ltd., now owned by NKT Photonics A/S, which describes

combiner, which is in the amplifier of block 22 in exemplary Fig. 2, below.

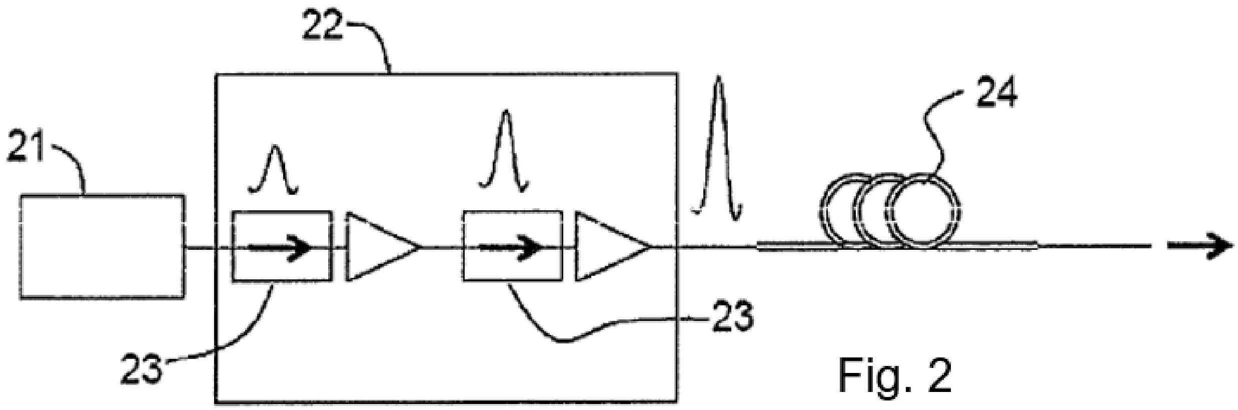


Fig. 2

e. "the wavelength shifter comprising a first waveguide structure and a second waveguide structure …." The wavelength shifter in the Accused Lasers have a first waveguide structure (orange box labeled "~1040nm ZDW PCF Fiber" in the illustrative diagram of exemplary Fig. B, below[3]) and a second waveguide structure (blue box labeled "Main PCF with ~980nm ZDW" in the illustrative diagram of exemplary Fig. B, below).

SuperK FIANIUM lasers. Based on Dr. Islam's knowledge, including information from persons knowledgeable about the Accused Lasers, on information and belief, Fig. 2 exemplifies all Accused Lasers.

[3] On information and belief based on Dr. Islam's knowledge, including information from persons knowledgeable about the Accused Lasers, the diagram of exemplary Fig. B illustrates the fibers and their effect in the Accused Lasers.

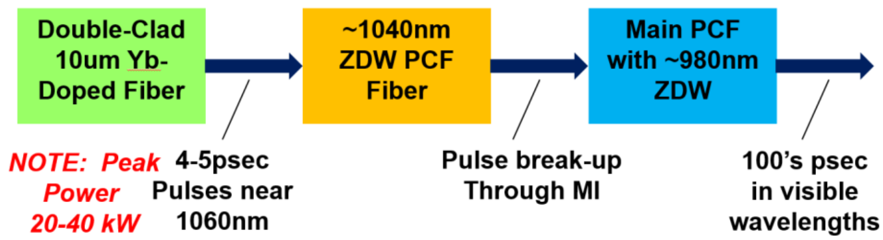


Fig. B

f. "the wavelength shifter operable to receive the first optical signal …." The wavelength shifter (labeled 24 in exemplary Fig. 2, above) in the Accused Lasers receives the first optical signal (the output of block 22 in exemplary Fig. 2, above).

g. "and to wavelength shift at least a portion of the first optical signal based at least in part on a Raman effect …." As shown in exemplary Fig. 1, below, the wavelength shifter in the Accused Lasers "blueshifts" and "redshifts" a portion of the first optical signal (green "Pump pulse"). The shifting occurs based on the Raman effect as is well-known to those skilled in the art (*see, e.g.*, App Note # 2.0, "Supercontinuum Generation in Photonics Crystal Fibers" available at https://www.nktphotonics.com/wp-content/uploads/2022/01/supercontinuum-generation-in-photonic-crystal-fibers-updated.pdf).

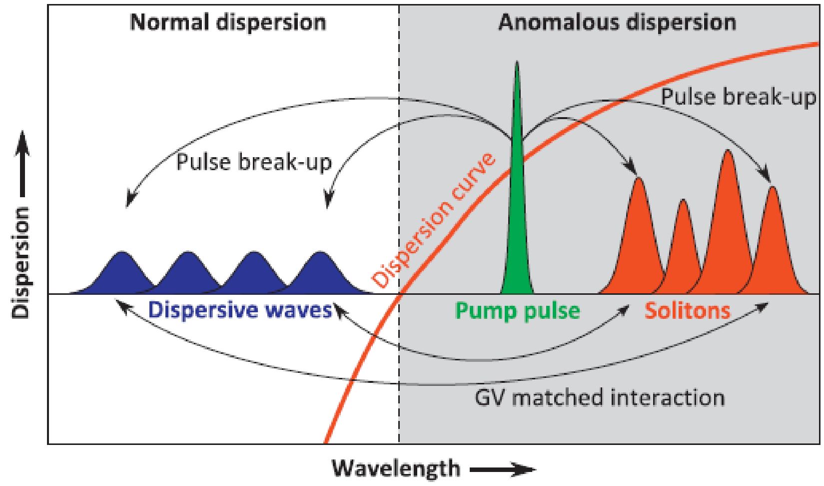
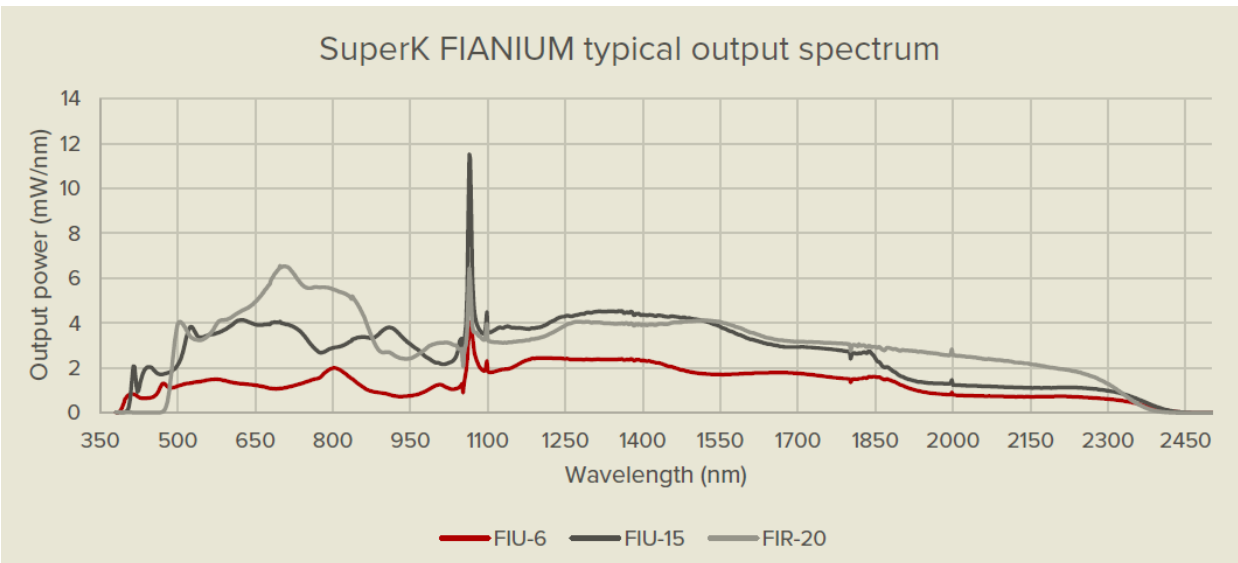


Fig. 1. Schematic of supercontinuum generation. By pumping close to the ZDW in the anomalous dispersion regime solitons will be generated and trap dispersive waves. Group-velocity matching will force the dispersive waves to blueshift while the solitons are redshifting due to soliton self-frequency shift.

h. "wherein the wavelength shifter operates to wavelength shift at least the first wavelength to an intermediate optical wavelength in the first waveguide structure …." The first waveguide structure in the wavelength shifter of the Accused Lasers (orange box labeled "~1040nm ZDW PCF Fiber" in the illustrative diagram of subparagraph 26e exemplary Fig. B, above) shifts the first wavelength (the wavelength of the green "Pump pulse" in subparagraph 26g exemplary Fig. 1, above) to an intermediate optical wavelength (the wavelength of the red "Solitons" in subparagraph 26g exemplary Fig. 1, above).

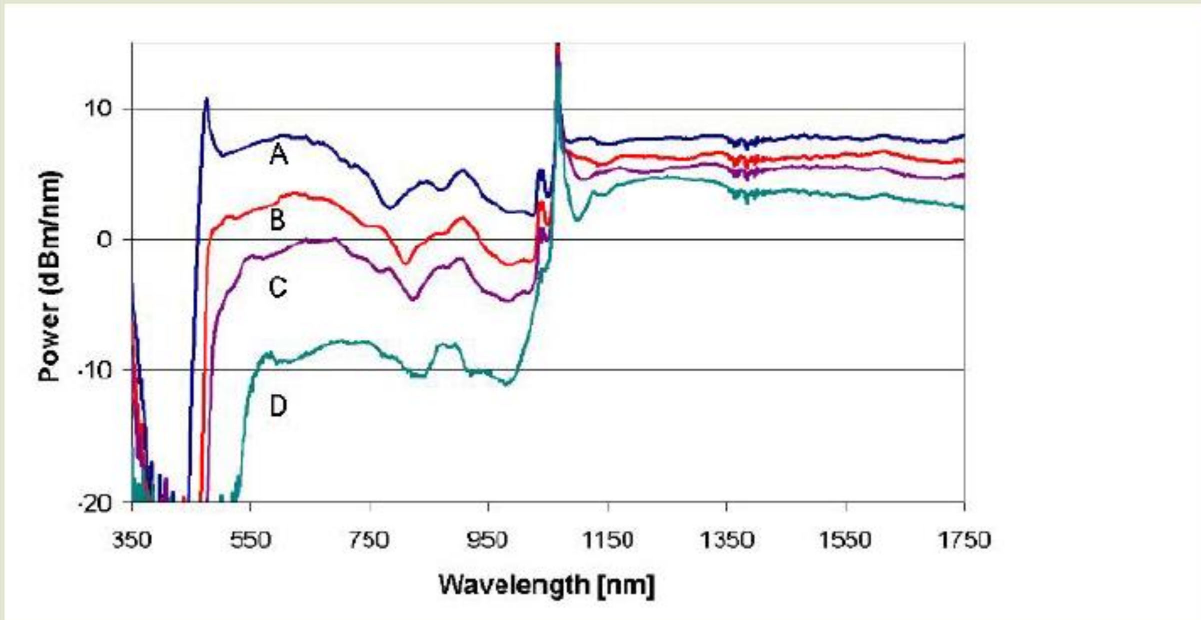
i. "and to wavelength shift the intermediate optical wavelength to a longer optical wavelength in the second waveguide structure …."

The second waveguide structure in the wavelength shifter of the Accused Lasers (blue box labeled "Main PCF with ~980nm ZDW" in the illustrative diagram of subparagraph 26e exemplary Fig. B, above) shifts the intermediate optical wavelength (the red "Solitons" in subparagraph 26g exemplary Fig. 1, above) to a longer optical wavelength as shown in the charts[4] below:



[4] The "SuperK FIANIUM typical output spectrum" chart is from page 5 of NKTP's "SuperK FIANIUM Datasheet." The "*Figure 2* Supercontinuum output of the laser" chart is from p. 23 of NKTP's "SuperK EXTREME Product Guide." Both are available at https://www.nktphotonics.com/product-manuals-and-documentation/.

Figure 2 Supercontinuum output of the laser



j. "wherein at least a portion of the intermediate optical wavelength is greater than the first wavelength and wherein at least a portion of the longer optical wavelength is greater than the intermediate optical wavelength …." As shown in subparagraph 26g exemplary Fig. 1, above, the intermediate optical wavelength in the Accused Lasers (the wavelength of the red "Solitons") is greater than the "first wavelength" (green "Pump pulse"). As shown in the charts of subparagraph 26i, above, at least a portion of the "longer optical wavelength" in the Accused Lasers (e.g., at least the wavelengths above 1150 nm) is greater than the intermediate optical wavelength (the wavelength spike at about 1000 nm).

k. "wherein the first waveguide structure is substantially different than the second waveguide structure." In the Accused Lasers, the first waveguide structure is a ~1040nm zero dispersion wavelength ("ZDW") PCF fiber (orange box in the illustrative diagram of subparagraph 26e exemplary Fig. B, above), which is substantially different from the second waveguide structure, which is a ~980nm ZDW PCF fiber (blue box labeled in the illustrative diagram of subparagraph 26e exemplary Fig. B, above).

21. On information and belief, NKTP's infringement is continuing.

22. Omni has suffered, and continues to suffer, irreparable harm because of NKTP's infringement of the '116 patent.

V. Count 2: Infringement of U.S. Patent No. 7,519,253 B2

23. Omni incorporates the preceding paragraphs by reference.

24. The United States Patent and Trademark Office issued the '253 patent on April 14, 2009. The '253 patent is titled, "Broadband or Mid-Infrared Fiber Light Sources." A copy of the patent is attached as **Exhibit B**.

25. Omni, via assignment, is the owner of the '253 patent including the right to collect past damages.

26. The ’253 patent specification, like the ’116 specification, describes and claims a unique, creative, innovative, and technically advanced supercontinuum laser for generating broadband light. Unlike typical lasers, which produce a light only in a narrow band, e.g., only red light, the patented laser can produce a broad spectrum of light, such as white light, which includes all visible colors. Figure 16 from Exhibit B is an exemplary diagram of the patented supercontinuum laser:

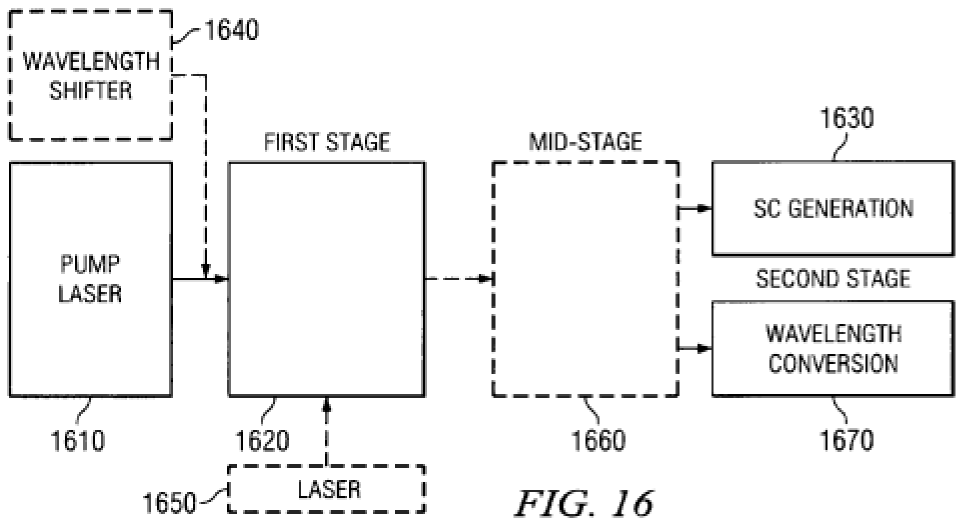


FIG. 16

27. In violation of 35 U.S.C. § 271(a), NKTP in the past six years and currently makes, sells, offers for sale, uses, and/or imports Accused Lasers that infringe one or more claims of the ’253 patent.

28. The following subparagraphs quote the elements of Claim 1 of the ’253 patent. They further detail how the Accused Lasers infringe at least Claim 1 of the ’253 patent. Omni bases these subparagraphs on Dr. Islam’s extensive

knowledge and understanding of supercontinuum lasers, his investigation and study of materials describing the Accused Lasers published by NKTP, and information from persons knowledgeable about the design and operation specifically of the Accused Products. On information and belief, the fiber lights sources in the SuperK FIANIUM series and the SuperK EXTREME series are, in pertinent part, the same for purposes of establishing infringement, so the allegations below apply to all Accused Lasers. Under Fed. R. Civ. P. 11((b)(3), the allegations in this and the following subparagraphs will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

a. Claim 1: "A broadband light comprising: …." The Accused Lasers are broadband light sources because they emit white light. (*See*, *e.g.*, https://www.nktphotonics.com/products/supercontinuum-white-light-lasers/.)

b. "one or more laser diodes capable of generating a pump signal comprising a wavelength shorter than 2.5 microns …." The Accused Lasers have at least one semiconductor diode (e.g., labeled "Pump Diode" in exemplary Fig. 2, below[5]). As shown in Fig. 3, below, the

[5] Exemplary Figs. 2 and 3 come from Almeida, Ultrafast Fiber Lasers and Nonlinear Generation of Light (2009) ("Almeida") available at

pump diode generates a pump signal of about 1064 nm (1.064 microns), which is shorter than 2.5 microns.

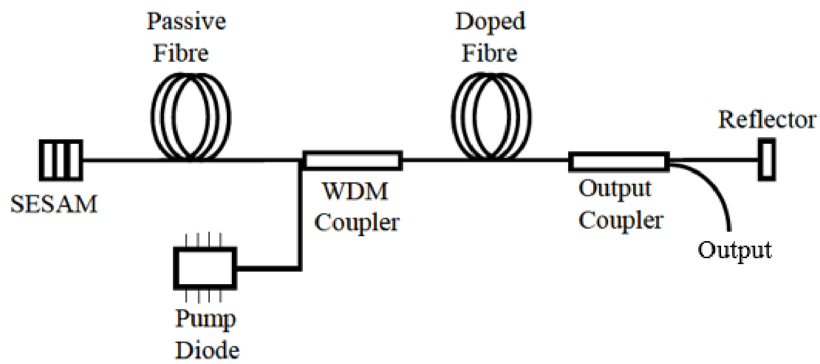


Figure 2. Optical schematic of the passively mode-locked fibre oscillator.

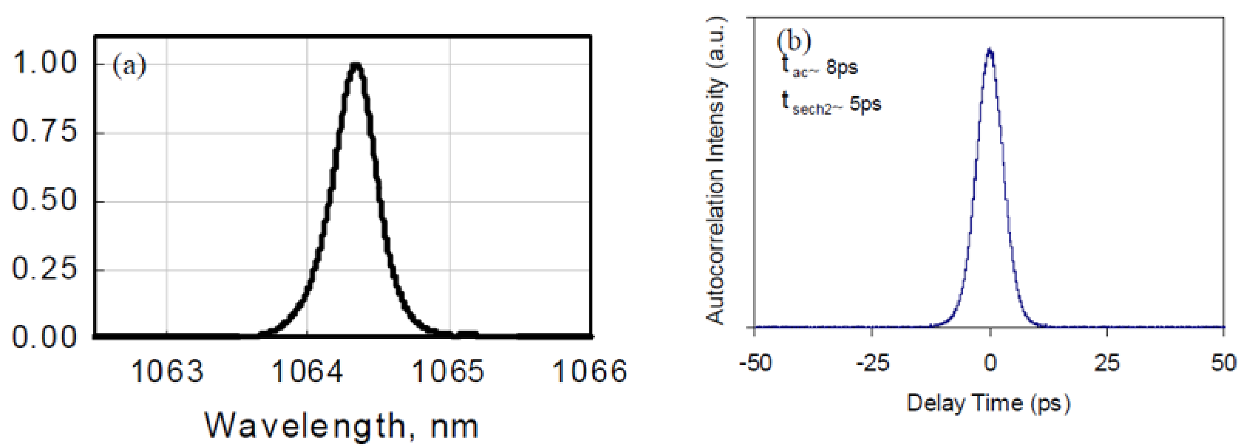


Figure 3. Master oscillator pulses (a) optical spectrum, (b) autocorrelation trace.

c. "one or more laser diodes capable of generating … a pulse width of at least 100 picoseconds and a pump optical spectral width …." The Accused Lasers have laser diodes capable of generating a pulse

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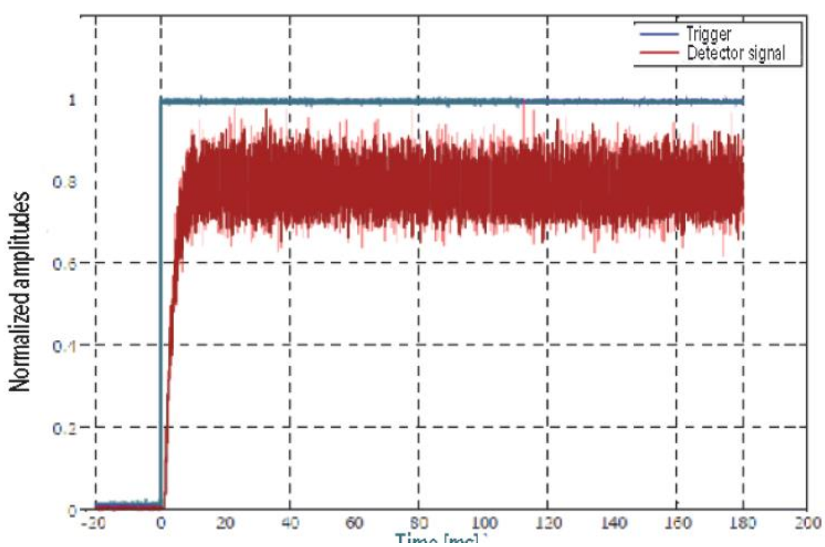
https://ieeexplore.ieee.org/abstract/document/5185253. Almeida describes FIANIUM lasers. Based on Dr. Islam's knowledge of NKTP's accused supercontinuum laser products, including information from persons knowledgeable about the Accused Lasers, on information and belief, the drawing from Almeida exemplifies the seed-laser in all Accused Lasers.

width of at least 100 picoseconds with a pump optical spectral width. The SuperK FIANIUM series uses a "Booster ON/OFF" input "to enable or disable laser emission." (*See*, *e.g.*, SuperK FIANIUM and FIANIUM OCT Product Guide-20230918 R1.6, pp. 28, 57, available at https://www.nktphotonics.com/product-manuals-and-documentation/.) "When a logic low is applied, emission is disabled. The feature controls the state of the main amplifier." (*Id*. at 57.) As shown in the chart below from page 57 of the SuperK FIANIUM and FIANIUM OCT Product Guide-20230918 R1.6, using the Booster ON/OFF input, the laser can be controlled to generate a pulse width of at least 100 picoseconds.



The SuperK EXTREME series uses a "Modulation input" that allows "the output power of the SuperK EXTREME supercontinuum white light lasers can be controlled by an external

signal hereby [*sic*] providing amplitude modulation or power stabilization/locking." (*See, e.g.*, NKT Photonics App Notes, "Using Power Lock and external modulation with the SuperK EXTREME," p. 1, available at https://www.nktphotonics.com/wp-content/uploads/2022/02/superk-power-lock-and-modulation-v02.pdf.) As shown in Table 1, below, the "Modulation bandwidth" can be 100Hz, which equals a pulse width of 10 microseconds, which is more than 100 picoseconds.

Parameter	Value
Modulation input voltage	**0 – 10V**
Current mode	
Modulation bandwidth, 3dB	100Hz (typ)
Rise- and fall-time	<5ms (typ)
Power mode	
Modulation bandwidth, 3dB	50Hz (typ)
Rise- and fall-time	<10ms (typ)
Feedback input voltage	**0 – 4V**
Feedback bandwidth	<200Hz
Feedback sample rate	200Hz

Table 1: Modulation and Feedback Interface Specifications

In both laser series, the resulting laser emission necessarily has an optical spectral width.

d. "one or more optical amplifiers coupled to the pump signal and capable of amplifying the pump signal to a peak power of at least 500W …." The Accused Lasers have one or more optical amplifiers

(e.g., block 22 Fig. 2 drawing below).[6] As shown, the optical amplifiers are coupled to the pump signal (from block 21[7] in exemplary Fig. 2 below).

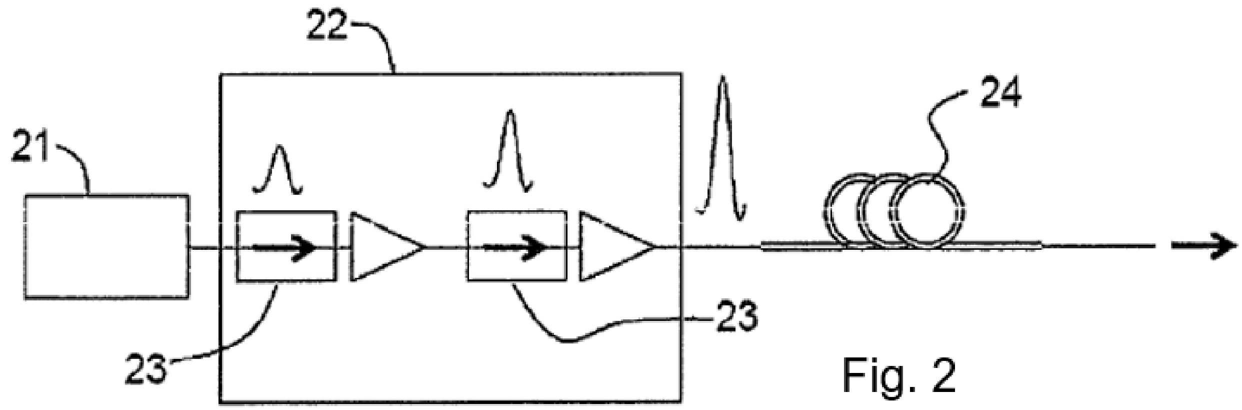


Fig. 2

As explained in U.S. Pat. No. 9,531,153 B2, "[t]he output of the amplifier is a high-energy pulse of up to … tens of kilowatt peak power," which is a peak power greater than 500W.

e. "a first fiber coupled to the one or more optical amplifiers …." Fiber loop 24 in subparagraph 17d exemplary Fig. 2 is connected to the optical amplifiers.

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[6] Exemplary Fig. 2 comes from U.S. Pat. No. 9,531,153 B2, originally assigned to Fianium Ltd., now owned by NKT Photonics A/S, which describes FIANIUM lasers. Based on Dr. Islam's knowledge, including information from persons knowledgeable about the Accused Lasers, on information and belief, Fig. 2 exemplifies all Accused Lasers.

[7] Block 21 in exemplary Fig. 2 contains the "mode-locked fibre oscillator" reproduced in subparagraph 17b exemplary Fig. 2. The output from box 21 is the "Output" from subparagraph 17b exemplary Fig. 2.

f. "the first fiber comprising an anomalous group-velocity dispersion regime and a modulational instability mechanism that modulates the pump signal …." The Accused Lasers comprise an anomalous group-velocity dispersion regime as shown in exemplary Fig. 1, below, and use "[m]odulation instability (MI) [that] lead[s] to temporal break-up of the high-power pump pulse into a distribution of soliton-like pulses[.]"[8]

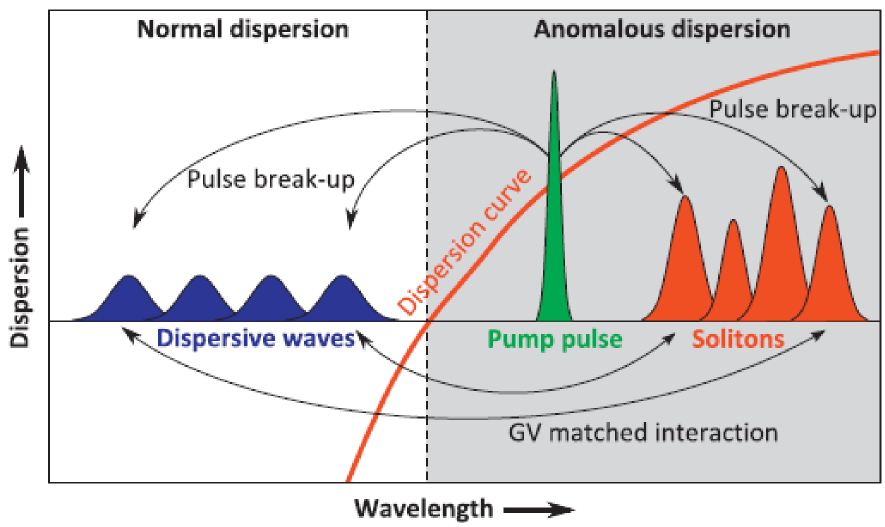


Fig. 1. Schematic of supercontinuum generation. By pumping close to the ZDW in the anomalous dispersion regime solitons will be generated and trap dispersive waves. Group-velocity matching will force the dispersive waves to blueshift while the solitons are redshifting due to soliton self-frequency shift.

[8] Exemplary Fig. 1 and the quotation are from Møller, Optical Fiber Technology 18 (2012), available at https://doi.org/10.1016/j.yofte.2012.07.010. Møller is co-authored by employees of NKT Photonics A/S and, on information and belief, describes relevant aspects of the Accused Lasers based on Dr. Islam's knowledge of NKTP's accused supercontinuum laser products, including information from persons knowledgeable about the Accused Lasers.

g. "wherein the pump signal wavelength resides in the anomalous group-velocity dispersion regime of the first fiber …." As shown in subparagraph 17f exemplary Fig. 1, above, the pump signal (in green, labeled "Pump pulse") resides in the anomalous group-velocity dispersion regime (grey-shaded portion labeled "Anomalous dispersion") of the fiber.

h. "wherein different intensities in the pump signal can cause relative motion between different parts of the modulated pump signal produced through modulational instability in the first fiber …." As shown in exemplary subparagraph 17f Fig. 1, above, the pump signal (green) in the Accused Lasers can cause relative motion ("blueshift" and "redshift") between different parts of the modulated pump signal ("dispersive waves" and "solitons") depending on the intensity of the pump signal.

i. "a nonlinear element coupled to the first fiber capable of broadening the pump optical spectral width to at least 100 nm through a nonlinear effect in the nonlinear element." The Accused Lasers have a nonlinear element (e.g., the tapered part of the fiber illustrated in Fig. 8(a), below[9]) coupled to the first fiber (e.g., fiber loop 24 in

[9] Fig. 8a is from the Møller article identified in footnote 7.

exemplary subparagraph 17d Fig. 2 above)[10] that is capable of broadening the pump optical spectral width to at least about 100 nm through a nonlinear effect in the nonlinear element as illustrated in exemplary Figs 8(b) and (c), the "SuperK FIANIUM typical output spectrum chart,"[11] and the "*Figure 2* Supercontinuum output of the laser" chart,[12] below.

[10] Fiber loop 24 in exemplary subparagraph 17d Fig. 2, above, comprises two segments—a non-tapered segment and a tapered segment as shown in the illustration of Fig. 8(a), below.

[11] The "SuperK FIANIUM typical output spectrum" chart is from page 5 of NKTP's "SuperK FIANIUM Datasheet" available at https://www.nktphotonics.com/product-manuals-and-documentation/.

[12] "SuperK FIANIUM typical output spectrum chart" is from p. 23 of NKTP's "SuperK EXTREME Product Guide." available at https://www.nktphotonics.com/product-manuals-and-documentation/.

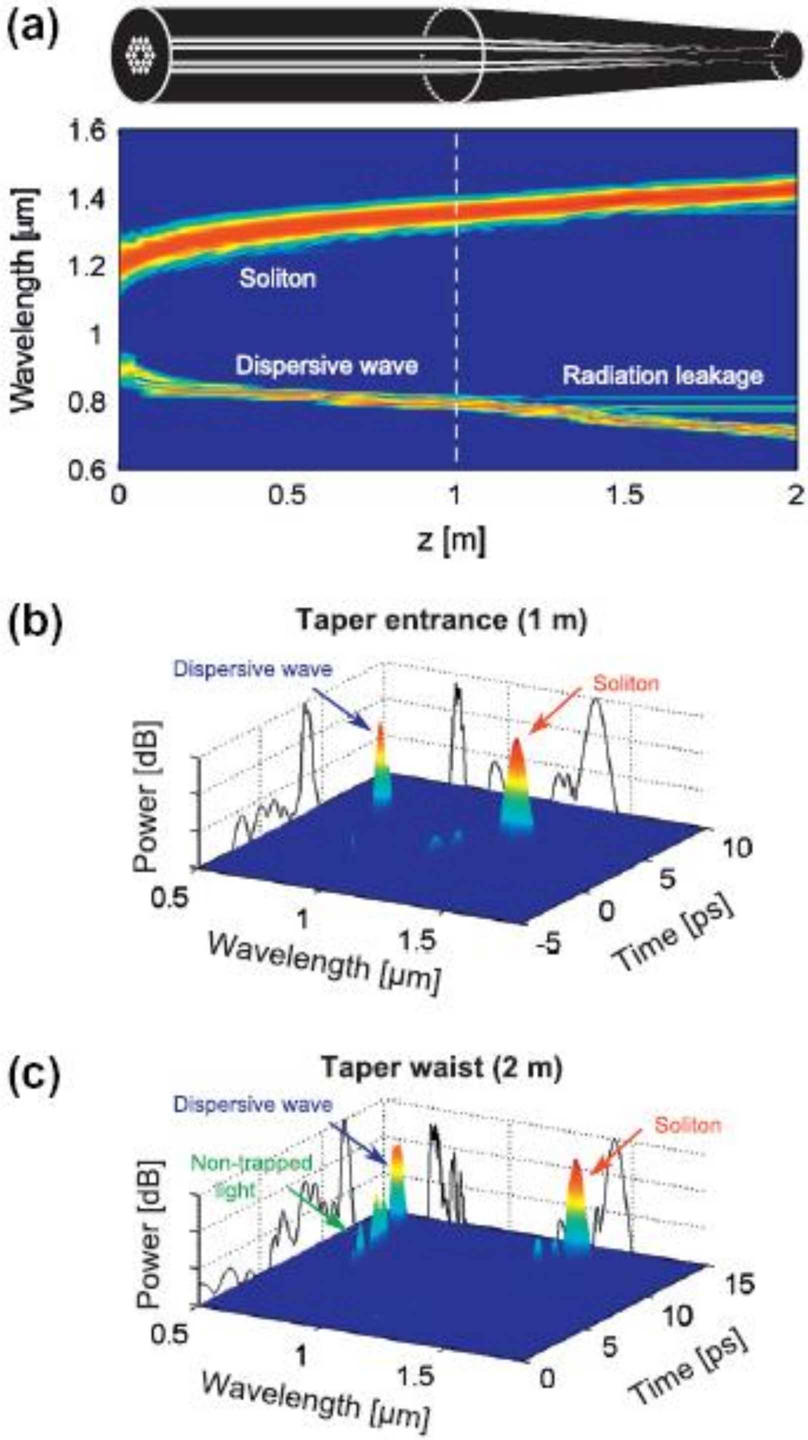


Fig. 8. (a) Spectral evolution of a 20 fs fundamental soliton and trapped dispersive wave through a fiber taper with an initial 1 m uniform fiber. (b) and (c) Spectrograms at the entrance (1 m) of the taper and at the taper waist (2 m). The wave is fully trapped at the taper entrance, but the taper increases the soliton redshift and deceleration, which causes part of the dispersive wave package to leak from the soliton induced trapping region.

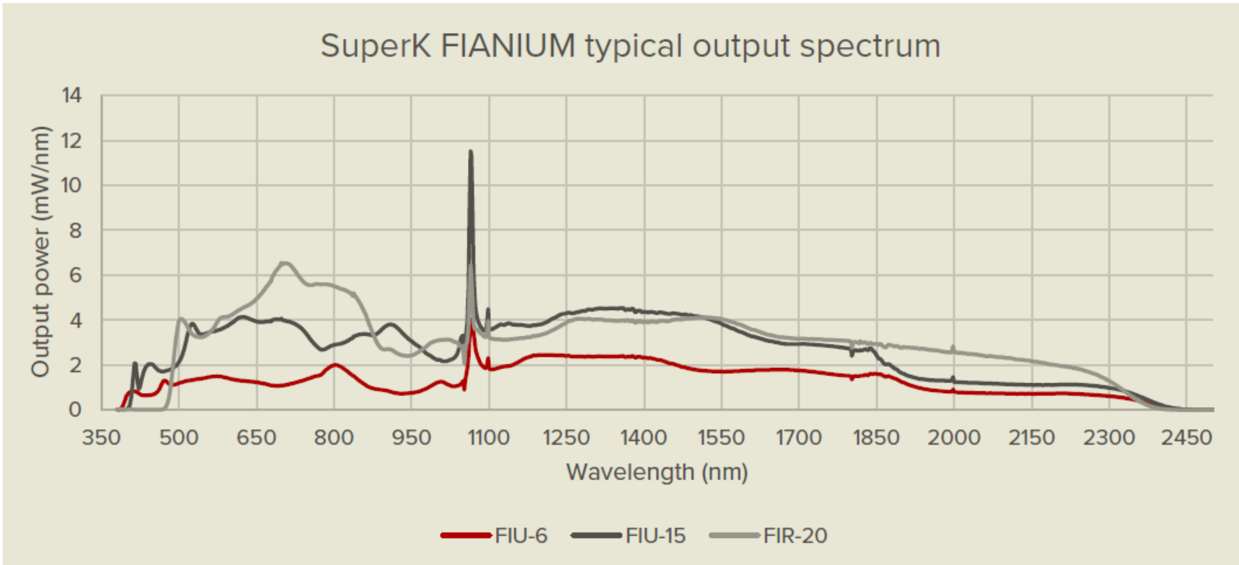
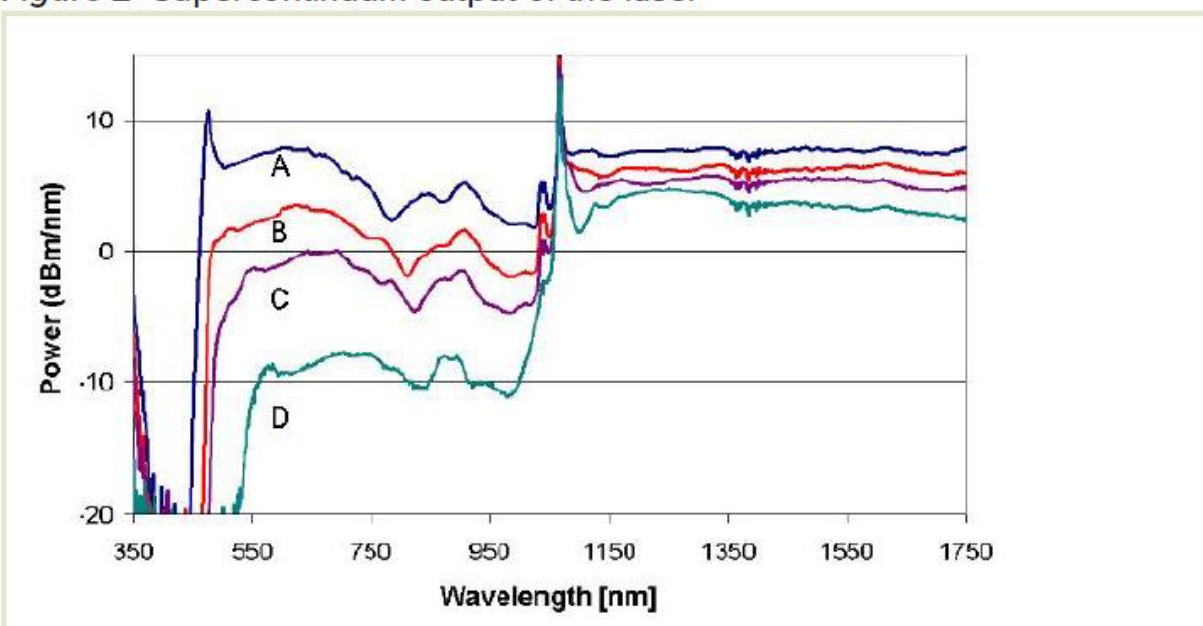


Figure 2 Supercontinuum output of the laser



29. On information and belief, NKTP's infringement is continuing.

30. Omni has suffered, and continues to suffer, irreparable harm because of NKTP's infringement of the '253 patent.

VI. Damages

31. Omni incorporates the preceding paragraphs by reference.

32. On information and belief, NKTP has been infringing the ’253 and ’116 patents for at least the past six years.

33. On information and belief, NKTP’s sales of the Accused Lasers have averaged at least $30 million per year.

34. In prior license negotiations, NKTP’s parent company agreed to pay an Omni sister company a royalty of 8% on sales of products licensed under patents owned by that sister company.

35. On information and belief, compensatory damages for NKTP’s infringement of the ’253 and ’116 patents, measured as a reasonable royalty, are at least $18 million plus interest and costs.

VII. Relief Sought

WHEREFORE, plaintiff asks the Court to:

A. Find NKTP liable for infringement of the ’253 and ’116 patents under 35 U.S.C. § 271(a);

B. Award Omni damages against NKTP of at least $18 million to compensate Omni for the infringement of the ’253 and ’116 patents under 35 U.S.C. § 284;

C. Enter a permanent injunction under 35 U.S.C. § 283 to enjoin NKTP from making, using, selling, offering for sale, and importing Accused Lasers into the U.S.;

D. Award Omni interest and costs;

E. Award Omni its reasonable attorney fees under 35 U.S.C. § 285; and

F. Award Omni such other relief as is just.

VIII. Jury Demand

Omni requests a trial by jury.

Respectfully submitted,

Dated: April 17, 2024

/s/ Michael C. Moschos

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